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112603

PATENT

Customer Number 22,852
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10/722141

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Prior Application Art Unit: 3742

Prior Application Examiner: T. Hoang

SIR: This is a request for filing a

Continuation Continuation-in-Part Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/768,337 filed January 25, 2001, of Jeffrey Wendlandt et al. for ENDOSCOPIC VISION SYSTEM.

1. Enclosed is a complete copy of the prior application including the drawings as originally filed. This filing does not include the oath or Declaration, as originally filed, and therefore is being filed under the provisions of 37 C.F.R. §1.53(f). Applicants will await notification from the Patent Office of a time period in which to file the oath or Declaration. The attached papers, which do not include the oath or Declaration, are a true copy of Application No. 09/768,337 as originally filed on January 25, 2001, which is incorporated herein by reference.
2. Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. Cancel Claims 2-44.
5. A Preliminary Amendment is enclosed.
6. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$770	\$ 770.00
	Number of Claims		Basic	Extra Claims		
Total Claims	1	-	20	0	x \$18	0
Independent Claims	1	-	3	0	x \$86	0
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$290	0
Subtotal						\$ 770.00

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Reduction by 1/2 if small entity	- 0
TOTAL APPLICATION FILING FEE	\$ 770.00

7. This application is being filed without the filing fee, under the provisions of 37 C.F.R. §1.53(f). Applicants will await notification from the Patent Office of a time period in which to pay the filing fee.

8. The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, with the exception of the filing fee, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

9. Amend the specification by inserting at page 2, line 1, the following new paragraph:
--This is a continuation of Application No. 09/768,337, filed January 25, 2001, the entire disclosure of which is incorporated herein by reference.--

10. New formal drawings are enclosed.

11. The prior application is assigned of record to: Scimed Life Systems, Inc.

12. Priority of Application No., filed on in is claimed under 35 U.S.C. § 119. A certified copy
 is enclosed or is on file in the prior application.

13. Small entity status is appropriate and applies to this application.

14. The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Heftner, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal,

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- 15. The power appears in the original declaration of the prior application.
- 16. Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
- 17. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.

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18. Recognize as associate attorney _____

19. Also enclosed is

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 09/768,337, filed **January 25, 2001**, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 26, 2003

By: Elizabeth M. Burke
Elizabeth M. Burke
Reg. No. 38,758

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